



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Order Filed on September 30,  
2016 by Clerk, U.S. Bankruptcy  
Court - District of New Jersey

In Re:

**AVIS E. WHENNER**

Case No. 16-10620

Chapter: 13

Hearing Date:

Judge: Hon. Stacey L. Meisel

**ORDER VALUING PROPERTY PURSUANT TO  
11 U.S.C. §§506(a) AND (d) AND FED. R. BANKR. P. 3012,  
BIFURCATING DEBT INTO SECURED AND UNSECURED PORTIONS  
AND FOR DISCHARGE OR CANCELLATION OF MORTGAGE  
UPON COMPLETION OF THE CHAPTER 13 PLAN**

The relief set forth on the following page numbered two (2) is hereby ORDERED.

**DATED: September 30, 2016**

*Stacey L. Meisel*  
Honorable Stacey L. Meisel  
United States Bankruptcy Judge

**Page:** 2

**Debtor(s):** Avis E. Whenner

**Case No.:** 16-10620 - Chapter 13

**Caption:** Order Valuing Property Pursuant to 11 U.S.C. §§506(a) and (d) and Fed. R. Bankr. P. 3012, Bifurcating Debt into Secured and Unsecured Portions and for Discharge or Cancellation of Mortgage Upon Completion of the Chapter 13 Plan

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**THIS MATTER** being opened to the Court by Goldman & Beslow, LLC, attorneys for the debtors, Clifford B. Frish, Esq., appearing, and this Court having considered the argument of counsel and good cause appearing, and there being no opposition; it is hereby **ORDERED**:

- (i) the debtor's property located at 583-585 Morrow Street, Orange, New Jersey is valued at \$270,000.00;
- (ii) the claim of HSBC Mortgage Corporation (USA), is bifurcated into secured and unsecured portions;
- (iii) HSBC Mortgage Corporation (USA) shall be paid the sum of \$270,000.00 plus interest at 4.25%/annum for a total payout of \$300,178.80 in full satisfaction of the secured portion of its claim;
- (iv) the balance of HSBC Mortgage Corporation (USA)'s claim shall be treated as an unsecured, non-priority debt;
- (v) upon completion of the Chapter 13 plan, the mortgage given by the debtor to MERS as nominee for HSBC Mortgage Corporation (USA), recorded in the Office of the Clerk or Register of Essex County on November 9, 2006, at Book 11623, Page 20, as assigned to HSBC Bank USA, N.A. by Assignment of Mortgage dated October 1, 2008, recorded on October 9, 2008, at Book 12161, Page 9764, by Assignment of Mortgage dated March 15, 2012, recorded on March 20, 2012, at Book 12358, Page 5602, and by Correction Assignment of Mortgage dated May 28, 2015, recorded on June 25, 2015, at Book 12561, Page 6202, shall be deemed to have been paid in full and the debtor shall be entitled to record a copy of this Order which shall act as a discharge or cancellation of the said mortgage. The Office of the Clerk or Register of Essex County is hereby authorized to discharge and/or cancel the mortgage.